

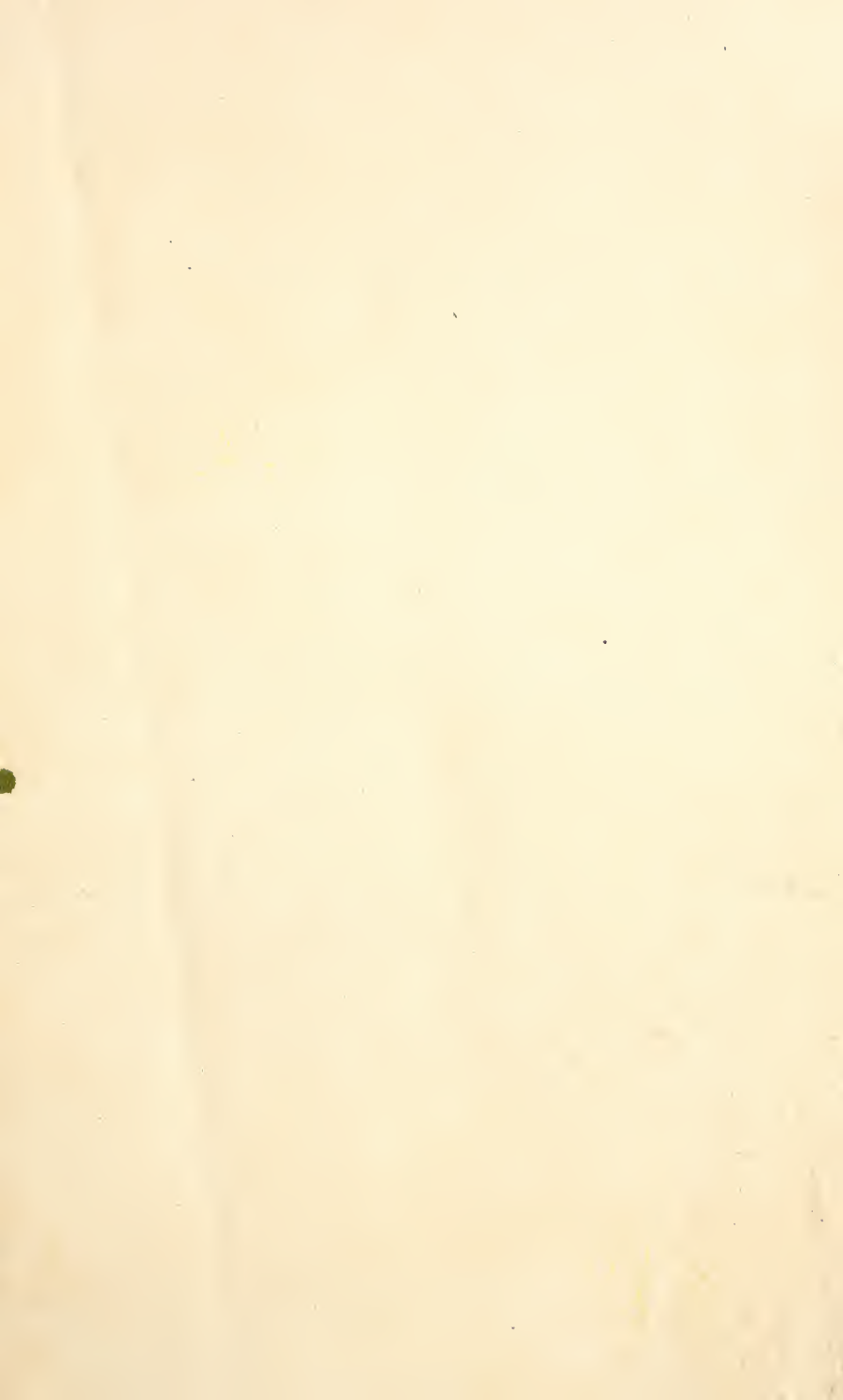
Hamiltonism
VS.
Jeffersonism.

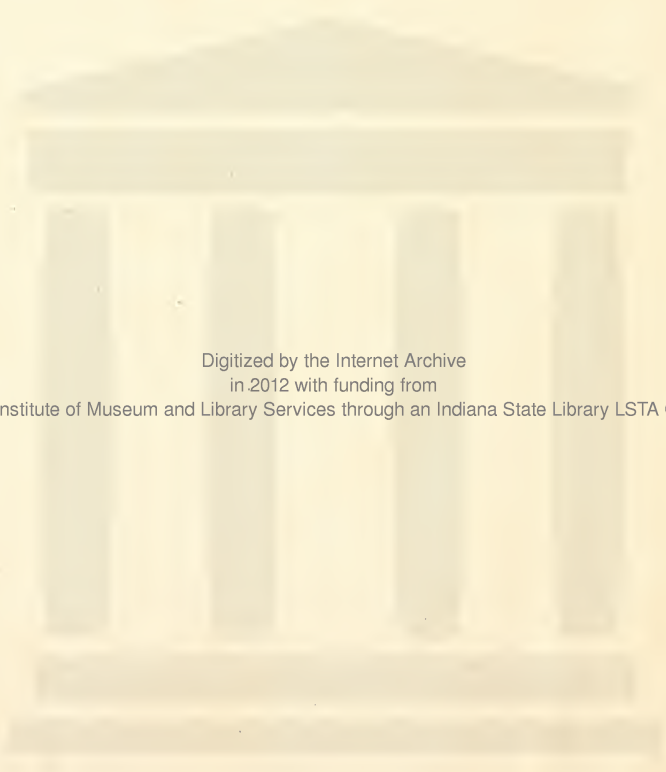


BY
J. B. SIMPSON.



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Hamiltonism vs. Jeffersonism.

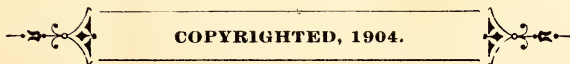
A Refutation of the Popular Calumnies Against Alexander Hamilton.



BY

J. B. SIMPSON,

ATTORNEY-AT-LAW.



CHESTER, ILL:
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CHESTER TRIBUNE.
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To Abraham Lincoln, late President of the United States, this pamphlet is dedicated in consideration of the fact that Alexander Hamilton was the originator or father of the American Tariff Doctrine, and Mr. Lincoln was its greatest exponent and advocate of his age.



PREFACE.

DURING the summer of 1901, two leading political papers in the West, the one Republican, the other Democratic, engaged in a discussion of the effects upon the United States of the policies of Alexander Hamilton. These discussions seemed to have their origin in the one's assertion, that we are more indebted to Napoleon and our ministers to France for the "Louisiana Purchase" than we are to Mr. Jefferson. The other took exception to this statement or opinion and thereupon began a series of attacks upon Hamilton. We do that paper not any injustice, when we say, that scarcely was a praise bestowed upon Mr. Jefferson by it without a corresponding attack upon Hamilton, under the specious guise of a warning against some lurking or hidden danger to the country termed, "Hamiltonism." Everything he did or advocated referred to by it was termed "Hamiltonism," with the evident intention of turning aside from him well merited public esteem, and to enshroud his character in the fog of popular calumnies.

These charges were taken up, (excepting a few that were mislaid) and answered in the following pages. They are traced to their origin, and may disclose many surprises to the candid and intelligent reader. And in this age of fair dealing, no less wonder is felt, to observe the venom indicated in some of those charges; and the thoughtful reader will scarcely fail to detect an apparent desire to attribute every evil of that age to an alleged evil purpose of Hamilton. Yet it is believed that the arguments produced and facts shown shed such light upon the questions discussed, as fully refute such charge. These facts or narratives well show that not any other

part of our constitutional history furnishes as many contradictions of popular opinion. And these discussions even strongly indicate that the history of that age comes not far short of revealing a systematic effort ingeniously made, to darken the character and destroy the fame of some of the greatest patriots and publicists in American History. With what success these charges have been answered will be judged by a candid public, and by him who examines and studies the early history of American Politics. The notes following the respective chapters are explanatory of the chapters.

Attention is also invited to the Appendix.--The principal part of which discusses the appointment of Phillip Freneau, as clerk in the office of the Secretary of the State, for translating foreign languages; the object of his appointment; his character; his journals and his revelations in the latter days of his life, in reference to disclosing the secrets of the Cabinet and the attacks upon Washington; the "Resolutions of '98 and '99; the quarrels between Hamilton and Jefferson, all of which have been delineated with care. The style is rather cold and logical, than vivid or striking. The historical truths are intended to be narrated in a plain but interesting manner, not aided by figures of rhetoric, or the adornments of eloquence, and is therefore addressed to the careful student and thoughtful reader, to whose candor these pages are submitted.

We are indebted to Judge Alexander Hood, and J. D. Irose Esq., of Chester, and Miss Zephine G. Ryan, Teacher St. Louis Schools, and E. G. Matlack, author of "Shadows of Fort Gage," for valuable assistance and useful suggestions in the preparation of these pages.

Chester, Ill. 1904

—❖— SKETCH. —❖—

ALEXANDER HAMILTON was born on the Island of Nevis, in the West Indies, January 11, 1757, and died in the city of New York on the 12th day of July, 1804. He was twenty-five years younger than Washington, fourteen years younger than Jefferson and six years younger than Madison. He was eight years younger than Charles James Fox, the faithful advocate in the English Parliament of our colonial rights; and he was three years younger than Talleyrand, the great French Statesman. He was twelve years older than Napoleon the Great. His father was a Scotch merchant who failed in business and removed to a distant Island and was never afterwards seen by Alexander. His mother was a descendant of the French settlers, of education and refinement, and died while he was quite young, so that he was not long blessed with a mother's tenderness, and a father's care he never knew. It was said of him that he was the most precocious boy ever known. For, at the age of four years, he had memorized a Hebrew poem and declaimed it with wonderful adaptability; and at seven he could ask questions that were the wonder of his tutor, Dr. Knox. At the age of nine he had mastered the French and English languages, and could translate Latin with comparative ease, and could read Greek and Hebrew with the readiness that amazed his preceptor. When he was twelve years old he was put into the counting house of a Mr. Kruger in the city of St. Croix, on the Island of St. Croix, as a book-keeper, and while thus employed he devoted his leisure hours in reading and in writing prose and poetry. About that time he wrote a letter to his faithful friend, Ned Stevens, that does credit in thought even to the finished scholars of mature age. In that letter he deplores the condition that poverty "condemned" him to, but declares his

determination to fit himself for future usefulness. After two years, experience in the store he was placed in charge of the business while his employer went away on a voyage of some months, and during his absence the business was conducted satisfactorily by young Hamilton. At the age of fifteen he wrote a most interesting description of a hurricane that had devastated the Island. That letter was published in a paper printed in the city of a neighboring Island, and was the wonder of all. When it became known that young Hamilton had written it, then the importunity of his friends induced his maternal relatives to send him to the American colonies to complete his education. He arrived in October, 1772. The first year he lived in the family of William Livingston, father of R. R. Livingston, and attended a grammar school at Elizabethtown in New Jersey. He then entered Columbia college where he accomplished a four year term in two years, besides attending lectures in a medical school. On the 6th day of July, 1774, at his first effort at public address he attained the front rank of the age of orators. A short time after he attained the first rank as a political writer, by his pamphlets in defense of Congress, and in his advocacy of Colonial rights. These pamphlets are being quoted as models of "Forensic Eloquence." (Meade and Gilbert). He contended for Colonial legislation as an inherent right, and suggested the policy of encouraging domestic manufactures, to lessen the need of external commerce, and became engaged with the wits and politicians of the ministerial party, whom he worsted by his convincing arguments. Jefferson and Burr both say, "Lost is he who puts himself on paper with Hamilton." He was destined for a physician, but the Revolution coming on he entered the army, and at the age of nineteen he was appointed captain of the first artillery company raised by New York, and served with distinction in

the battles of Long Island and White Plains, and was the last man to cross the river when the army retreated from Long Island. At twenty he was by Washington appointed chief of staff, and, next to him, was the most popular man in the army; his being able to speak Foreign languages rendered him extremely useful. In the army he was nicknamed the "Little Lion," and engaged in the bloody battles of Germantown, Brandywine and Monmouth; and he led the assault on the redoubts at Yorktown at the surrender of Cornwallis. He then retired to private life and was admitted to the bar after four months' study, the shortest term ever known in that State. He practiced his profession with unexampled success, and arose to the first rank with unexampled rapidity. At the age of twenty three, he suggested the first establishment of a United States bank and a short time after he gave to a member of Congress an outline of a more substantial form of government, and likewise suggested the necessity of a convention of all the States for forming one; which is the first suggestion of that nature presented to Congress.

At the age of twenty-five he served a short term in Congress, where as chairman of committees, he presented several resolutions and suggestions; some of which have since been made the basis of famous state papers. He was the chief character in bringing on the Constitutional convention, and was one of the most useful members of that illustrious body, and having appended his signature to it he thereby became one of the famous "thirty-nine." He did more than any other man to secure the adoption of the Constitution by the several States, especially by the State of New York. And on the organization of the government, public opinion selected him for the first Secretary of the Treasury. Nine days after the act was passed organizing it, he was appointed, and he held the office for nearly six years. Washington has ever

been regarded as an indispensable person in the formation of the government, and Hamilton's wonderful powers of organization and creative genius were well nigh indispensable to the support and guidance of Washington. For Hamilton's "Restoration of the Public Credit," was like magic, and his founding the United States Treasury, was a phenomenal success. His exploits as a soldier were as the bravest, yet he never sounded his own success, nor did he ever laud his own labors.

On retiring from the Secretary's office Hamilton resumed the practice of law, and was obliged "to toil all night to supply his family with bread." He soon regained his former position, in which he was admired by many and equally hated by the envious. Washington had offered him the appointment of Chief-Justice of the United States Supreme Court, but a public office had no charms for him, he therefore declined the proffered honor.

As a politician Hamilton was nothing, as a statesman he was much. His fortune was his talents; his ambition, the greatness and success of his country. His State has done more honors to his name than has any other State done for any of her sons.

In person Hamilton was small, with a courtly carriage and a commanding appearance. His head was massive and symmetrical. His eyes were dark and deep set and had a sparkle of wit and intelligence, and he grasped every subject as an intellectual giant. His nose and mouth were indicative of the breadth of his marvelous understanding. His voice was full and remarkably charming. His brilliant conversation and his engaging manners made him an agreeable companion at all times. His physical strength was remarkable, and his ability to work was even more wonderful. He was the idol of his family, and his short comings he never sought to disguise. He was thrown upon his own resources almost from infancy,

from which resulted that over self-confidence which constituted his greatest weakness.

On the 11th day of Sept., 1789, he was appointed Secretary of the Treasury, and Mr. Jefferson came into the office of the Secretary of State on the 22nd day of March, 1790, and served until the close of the year 1793, and retired because of disagreements between him and he Secretary of the Treasury, whom he could not induce Washington to remove. In the low arts of the demagogue, or the craftiness of the politician, Hamilton was not in any wise a match for Mr. Jefferson, who had not a superior, nor scarcely an equal, among his contemporaries. In scope of general knowledge he was not equal to Mr. Jefferson whose only equal was John Quincy Adams. Mr. Jefferson wrote so diversely and on such a vast scope of subjects that he is constantly being quoted in Congress on all sides of every question. (True Jefferson.) Hamilton was little else than a soldier, statesman and financier, and is not quoted as much, because he wrote only on one side of any question. Mr. Jefferson's patronizing disposition soon led him to seek control or domination of his colleague in the Cabinet, but whose self-reliance and imperiousness could not tolerate, hence their disagreements often sunk into personal virulence.

While Hamilton was chief of staff he wrote Washington's proclamation; and during his incumbency as President, he wrote the important documents except the neutrality proclamation, which was written by Mr. Randolph, the Attorney General; and this mark of confidential preferment by Washington, gave great offence to Mr. Jefferson. In a letter to Mr. Madison he derided that proclamation saying, "From the pusillanimity of the thing, you may infer from whose pen it came." Yet it has been the basis of the "Foreign Policy" of the United States ever since, and has been described as "the greatest state paper ever issued." (National Potrait Gallery.) It is

generally conceded that Hamilton wrote the famous "Farewell Address," which has a world wide reputation as an advisory document, and as a model of literary taste. The last letter Washington wrote was to Hamilton in approbation of his scheme, that resulted in establishing a military school at West Point. He settled the controversy that brought the first new State into the Union.



HAMILTONISM VS. JEFFERSONISM.

Chapter I.

HAMILTON'S EFFORTS TO ORGANIZE A CONVENTION, AND TO
FRAME THE CONSTITUTION, AND SECURE ITS ADOPTION.

WITH interest we observed the discussions in two Metropolitan papers in the West in reference to the effects of the policy of Alexander Hamilton upon the United States; or, as one was pleased to term it, "Hamiltonism." We fully agree with the other that the doctrines of Hamilton are not being revived, because they were never overthrown, nor never will be, as long as any American State maintains an orderly and Constitutional form of government. Charles Carrol, of Carrolton, says, "Hamilton could put his hand upon his breast and truly say 'To me are the people of the United States indebted for their Constitution.'" This, in part at least, is shown by his letter dated the 3rd day of September, 1780, to James Duane,

then a member of Congress, in which he suggested a convention of all the States to amend the articles of Confederation so that they might conform to the requirements of a more orderly government that would more surely secure the blessings of liberty to themselves and their posterity. In this letter Hamilton delineated the inefficiency and imbecility of the government under the old Confederation, in such a clear and comprehensive manner as to merit the encomiums passed upon it after his death. This letter was presented to the Congress and is the first suggestion of such a convention. The greatest law writer that ever lived, defines it as a "masterly and most extraordinary letter considering his age." (1 Kent 218 note.) A faithful friend says, "When Hamilton wrote that letter he withdrew to heaven, as never on earth could a man find such courage and optimism." (Conqueror p. 238.)

Again, while Hamilton was receiver of customs for New York, he attended the meeting of the legislature, and after his repeated solicitation, they passed the first resolution of any State urging such a Convention upon the consideration of the several States. That resolution was drafted by him, and a copy of it was immediately transmitted to each of the other States. It was passed July 21, 1782, yet four years and half later Virginia passed a like resolution and has always claimed the honor and distinction of originating the Constitutional convention. The authors of "Six Thousand Years of History," say that "Hamilton wrote the call for the Constitutional convention." The call for the convention originated on the 14th day of September, 1786, at the Annapolis Convention, in which only five states participated. That call was suggested by Rufus King and was written by Hamilton. It appealed to the several states to send delegates to a general convention to be held in Philadelphia on the second Monday of the following May. Those States

had met for the purpose of adjusting difficulties growing out of commercial controversies between several States, especially to consider the complaints against those States possessing advantageous harbors, and therefore receiving a monopoly of the commerce; and, it may be added, also through the operation of restrictions imposed by some of the States. But it was Hamilton's effort and desire to adjust these contentions in fairness, notwithstanding the fact that his State would lose part of her advantage in the monopoly of trade, and that he would incur the displeasure and suspicion of many. As a matter of course, it was not popular in his own State. Yet Hamilton never sacrificed principle for popularity, nor did he hunt after praises from that quarter.

Now a careful study of the history of the Constitutional convention comes not far short of showing that Hamilton did more than any ten men, save Washington and Madison, to secure the convening of it. And it is seldom denied by candid men, that, as a member of it, he maintained a prominent position in its councils. His great speech, the greatest of the convention, had a salutary effect in allaying the jealousies and in dissipating unfounded aspersions and opposition, and in softening the discords among the States, without which it was not possible to unite in any form of government whatever. When the Constitution was completed he at once signed it on behalf of his own State, the greatest in the constellation of States, and thereby became one of the ever memorable "thirty-nine." He appealed to the members present to give to the result of their united labors the sanction of their respective signatures. He exerted a strong influence in securing its adoption by his State, of which it has been said, "Never has the human tongue won such a victory." (Prof. Fiske Lecture.) He had written to a friend that "Two-thirds of the convention and three-fourths of the people are against us."

That, in a short time after the convention adjourned, he conceived and organized the issuance of the famous papers which have been collected and known as the "Federalist," and superintended their publication, is admitted by all parties. It is quite evident, that had he turned his pen against the adoption of the Constitution, as did Patrick Henry, Richard Henry Lee, George Mason and James Monroe, of Virginia, and Geo. Clinton, Governor, Chief Justice Yates, James Lansing, Attorney General of New York, Elbridge Gerry of Massachusetts, and Albert Gallatin, of Pennsylvania, it is more than doubtful if it would have been adopted by the people of the United States. (Walker's American Law sec. 12 and note; Prof. Thorpe's Story of the Constitution.) And it is not questioned that these men were not only patriots, but were equally, save Henry, leading lights on "Jeffersonism." It may also be of interest to know that Mr. Randolph and Mr. Mason were members of the Constitutional Convention, but refused to give the proposed plan the sanction of their signatures. Yet Mr. Randolph is usually quoted as favoring its adoption, at least conditionally. But Governor Clinton made a strenuous opposition by a series of strong letters which he published in the public prints that were intended to prevent adoption, even upon any condition. Yet his influence, as also was that of Judge Yates and Mr. Lansing, was overcome by the extraordinary efforts of Hamilton, whose perfect knowledge of the details of the proposed plan, enabled him not only to elucidate every advantage that would arise from an organization of a government under it, but also to answer all arguments and objections alleged against it. Governor Clinton, who presided over the convention, afterwards claimed that Hamilton so bewitched many of the members by his inimitable eloquence and his unanswerable arguments, as well as by his engaging personality, that opposition

was partly throttled and that many went over to his side on the final vote without knowing why they did it. And yet Governor Clinton was elected to the office of Vice-President in 1804 on the ticket with Mr. Jefferson. Thus was a prominent and influential opponent of the Constitution identified with "Jeffersonism." For, it so happened that the prominent opponents of the Constitution became ardent followers of Mr. Jefferson and closely identified with his political views; so that it has been truly said, "Hamilton was pleading the cause of the people against themselves." (Prof. Ridpath's Lecture.) "Of the plan of that compact which binds these States Hamilton and Madison were the principal authors," (National Portrait Gallery, Art R. R. Livingston.)

NOTE.—"Hamilton's private correspondence contains the first suggestion of the Constitution of the United States, and proves that he had conceived the main features of it even before the Constitution itself was established." Curtis' History of the Constitutional convention, vol. 1, 350, 413; History Republic, by John C. Hamilton, vol. 4, p 422. Judge Yates and James Lansing were the other members with Hamilton from New York, and on the 10th day of July they both abandoned the convention, alleging that they were attempting to establish a monarchy upon the ruins of the Republic or Confederacy. They afterwards made active efforts to prevent the adoption of the proposed plan, as an imposition upon the people. And Hamilton's act of signing it was severely censured, as "a most daring insult offered to the freedom and freeholders of New York, and an unpardonable departure from his duty to his State, as well as to the people of the United States." (Expositor No. 1 published in the New York papers February 7, 1788). Their abandoning the Convention was doubtless advantageous to the plan, as it left Hamilton free to sign it without their opposition. But when the Constitution was adopted by the State of New York, the most universal joy was manifested by the people ever witnessed in her chief city. A procession composed of every class of citizens passed through the streets. A miniature ship of State, gorgeously decorated with wreaths and garlands of flowers, was placed upon a platform and mounted on a wagon and drawn by ten white horses. There was emblazoned on each of the four sides of the platform, the word "Hamilton." The business

of the city was suspended and wore a holiday attire, and bonfires shone upon every corner. A plow was drawn by three yoke of oxen, and driven by Nicholas Kruger, Hamilton's old employer. The people were drunk with joy arising from the prospect of a more orderly government. They sang in the streets, "Virginia has her Madison, Massachusetts has her Adams, but we have our HAMILTON." All the night before he was kept up in answering calls and greetings of friends, and his office table was flooded with letters of congratulation. He remained at home during the day with his family and friends and took no other part in the festivities of the hour than to answer salutations of the people as they passed by. In no other city was the demonstration of joy so universal, or so marked, and its universality was only equaled by the universal sorrow which overhung that city sixteen years later. New York adopted the Constitution July 26, 1788, and this pageantry occurred on the 6th day of August following.—On the 29th day of April, 1800, Hamilton rode on horse back to the polls to vote. His political opponents were particularly incensed at his coming mounted, and began a storm of epithets and vile charges of aristocracy, etc. A gigantic carter rushed through the crowd and requested him to retire, as the men were exasperated at his coming on horseback. Answering, Hamilton said, "I have as good a right to vote as any man." Thereupon the big carter said, "I differ with you in politics, but I will stay with you until the last." Hamilton then took off his hat, and with the illuminating features, not the least of his gifts, and bowing to them, said, "I have never turned my back to an enemy. I certainly shall not flee from those who have always been my friends." "Three cheers for General Hamilton," cried the big carter, and every one responded at the top of his voice; and amidst their cheering they carried him to the poll. After an address of a few minutes, interspersed with cheering, he mounted and rode away. (Conqueror 473&4). In others riding on horseback was lauded as conclusive proof of "simplicity"; but in Hamilton it is condemned as equal proof of a want of sympathy with the people, illustrative of the old maxim, "that one man may steal a horse; while another can not look over the hedge."



CHAPTER II.

HAMILTON'S LABORS AS A SOLDIER—THE ONSLAUGHT OF THE
 "ANAS", THEIR CHARACTER, AND THE CHARGES REFUTED.

A GAIN, on the breaking out of the Revolution Hamilton entered the army and was exposed to the common danger of a soldier's lot until the surrender of Cornwallis, and was likewise prominent and useful in his labors to bring about the Constitutional convention. In reference to his labors in that behalf it is said: "He clearly discerned the practicability of forming a confederated government and adapting it to their peculiar conditions, resources and exigencies. He had wrought out for himself a political system far in advance of his contemporaries, in the case of those most opposed to him in life, became, when he was laid in a premature grave, the basis on which the government was consolidated, and on which to the present day it has been administered, and on which it can safely rest in that future which seems to stretch out in unending glories before us." (His Constitutional Convention, George Ticknor Curtiss.) And in his own State, "He labored hard to prevent legislation in contravention of the treaty of peace; he corrected gross theoretical blunders in a proposed system of regulating elections, and strove hard, though not altogether successfully, to eliminate religious restrictions; he succeeded in preventing the disfranchisement of a great number of persons for having been interested, often unwillingly, in privateering ventures; he stayed some absurd laws proposed concerning the qualifications of candidates for office; in the matter of taxation he substituted for the old method of arbitrary official assessments with all of its gross risks of error

and partiality, the principle of allowing the individual to return, under oath, his taxable property; he labored hard to promote public education by statutory regulations; he had much to do with the legislation concerning the relation of debtor and creditor, then threatening to dis sever the whole frame of society; he was obliged to give no little attention to the department of the criminal law; and finally he played the chief part in settling the long and perilous dispute concerning the 'New Hampshire Grants,' the region now constituting the State of Vermont, averting war and brought the first new State into the Union." (Morse's Life of Hamilton)

He brought order out of the chaos then prevading the finances of the country, when he founded the United States Treasury, and envolved the financial system in the formative period of the government, the most difficult of any time. He renewed the public confidence and made it pervade the business interests of the country. "He touched the dead corpse of the public credit and it sprang to its feet;" yet certain factions of today are constantly declaring that he was an "aristocrat, imperialist, wanted a king &c." And it may be a little surprise to know that these pet scurrilities and bubbling of personal rancor are to be found in the "Anas" which were dated for deliberate publication nearly fourteen years after his death. The "Anas" purport to be a faithful diary of current events that were penned by Mr. Jefferson from time to time, and most of them as occurring during Washington's administration, which they very ingeniously disparage, while pretending to approve. They narrate casual and improbable and even trivial conversations, by which he portrays his political opponents in an unfair light, with the evident intention of bringing them into disfavor among the people, for whose welfare they had risked their lives and devoted their greatest efforts. And they even fall little short of ac-

cusing Washington of treason. (True Jefferson.) The apology alleged for their publication is that "they are testimony against the only history of that time." In the main, they are founded on the improbable stories of what one Brown told Jefferson that Beckly claimed had been said by some one at a "dinner." In other words, Beckly told Brown and he told Jefferson who published them as true. This man Brown had absconded from his own State to escape prosecutions for violation of law, and was at once employed on Freneau's Gazette, a journal established in Philadelphia at Mr. Jefferson's solicitation, and devoted to his interests, in disseminating his opinions and advocating his doctrines; and equally devoted to the condemnation of the Treasury Department's management, and continuous personal assaults upon Hamilton. Even Washington did not escape Freneau's attack and personal insolence. (Forman's Life of Jefferson, 1900.)

The "testimony" these "Anas" are leveled at, is the life of Washington by Chief-Justice Marshall, in which he ranks Hamilton as next to the First President and those two as the most efficient men in the formative period of the government. The publication of the "Anas" has always been regretted by Mr. Jefferson's friends; because, being his own deliberate act in planning their publication they injured his reputation far more than any attack of his enemies. They are mainly based upon trivial matters, drawn from unreliable sources, and as often sinking into personal virulence. For, in the statement of some alleged facts, they but frequently fall little short of evident falsehood, which his acute perception certainly saw, and his good sense as certainly showed him, never occurred. In referring to that publication, Forman says: "That such questionable matter should be given to the world, after every pretext for its publication had passed away, raised a cry of indig-

nation which the best efforts of Mr. Jefferson's most partial biographers have not succeeded in silencing. Hamilton's son comes not far short of proving that Mr. Jefferson was notorious in fabricating false charges against Hamilton. He boldly asserts that Mr. Jefferson's habitual disregard for the truth is a matter of history. (His. Rep., Vol. 4 p. 296; Irving's Life of Washington, Vol. 4; The Conqueror, by Atherton.)

NOTE.—In the life of Washington, and in referring to the battle of Monmouth after General Lee had been rebuked by the Commander-in-Chief, Mr. Headly says: "Colonel Hamilton fearing that Lee would again retreat, dashed across the field in the midst of the thickest of the battle and reigning up to General Lee, said: 'I will stay with you, dear General, until the last. Let us all die here together rather than retreat.' He had lost his hat, and had one horse killed under him." Hamilton had importuned Washington to give the command to LaFayette, and had warned him of Lee's treacherous disposition; but that great patriot could not believe that Lee was the treacherous man his actions soon revealed him to be.



—❖CHAPTER III.❖—

SOME ATTACKS REFUTED.

A GAIN, it may be that Hamilton is by some termed an "aristocrat, imperialist, &c", because when a boy of seventeen his cry against British tyranny floated clear and shrill above the early voice of the revolution; and his crimson sash was deepened with the first blood of Germantown, Brandywine and

Monmouth. He led the advance guard at Yorktown in that memorable charge on the 14th day of October, 1781, which drove in the first of the enemy's outposts; and while suffering with the common soldier at Valley Forge, with sanction of the Commander-in-Chief, he issued those fierce appeals that once more aroused the fire of the almost cowering Congress. (Wharton's State Trials, Preliminary Notes.) And during that fearful winter he did much to keep up the courage of the soldiers by animating them with his presence, and singing with them a cheerful war song called the "drum." This was the last song he ever sang and after having suffered with them, he is entitled to share in their fame and to partake in their country's honor, and in its grateful remembrance.

Again, it may be that these popular calumnies are busily circulated, because he foresaw in the objections urged against the adoption of the Constitution the doctrine of nullification and succession and alludes to them in these prophetic words: "However gross a heresy it may be to maintain that a party to a compact has a right to revoke that compact the doctrine itself has had respectable advocates. The possibility of a question of this nature, proves the necessity of laying the foundations of our National government deeper than the mere sanction of delegated authority. The fabric of the American empire ought to rest on the solid basis of the consent of the people. The streams of the national power ought to flow from that pure original fountain of all legitimate authority." (Closing words of No. 22 Federalist, published in the New York papers Dec. 15, 1787.)

Again, he addressed his old time friend and fellow soldier in these words, "I am affectionately attached to the Republican theory of government. This is the language of my heart which I open to you in the sin-

cerity of friendship. The only enemy that Republicanism has to fear is the spirit of faction and anarchy. If I were disposed to promote monarchy and overthrow the State governments, I would mount the hobby horse of popularity and cry out 'danger to liberty, usurpation, &c.' I would endeavor to prostrate the national government, raise a ferment and then ride in the whirlwind and direct the storm. As to my own political creed I give it to you in all sincerity, I desire above all things to see the equality of all political rights, exclusive of all hereditary distinctions firmly established." (Letter to Col. Carrington, dated at Philadelphia, May 26, 1792.)

Further, during the winter of 1801 the election contest was oppressing the Congress and agitating the entire country, he ended the struggle by turning the scales in favor of Mr. Jefferson as against Burr, whereby he incurred the enmity which culminated in his assassination; yet he thereby delayed the attempted dissolution of the Union for sixty years. Forman says: "To his 'ternal honor" Hamilton refused to participate in a scheme to defeat the will of the people, but rather assisted them out of the difficulty. When we reflect upon the patriotism of Hamilton in refusing to become a party to defeat the will of the people, and Mr. Jefferson's venom as shown by those "Anas," we can readily see why a partial biographer assails them as "questionable material," and that the madness of his malice is inexcusable upon every possible ground.

But it is unblushingly asserted that Hamilton wanted a "king and house of lords." This bald story is copied from Mr. Jefferson's long, tortuous and vituperative letter to Washington, dated September 9th, 1792, in answer to an affectionate appeal, that was intended to conciliate those two members of his Cabinet. "Such a letter written by a member of the Cabinet to the President concerning one of his colleagues would be im-

possible at this day and it shows the depth of Jefferson's malice and meanness." (True Jefferson 242-4.) It is in keeping with the venom of the "Anas;" or of the ingenious mendacity of his henchman editor, whom he kept in his office as a nominal translating clerk over the protests of Washington; (Irving vol. 4;) or, of the distempered voicings of the political hacks of the times, who only find attention by rehearsing the calumnies and fabrications that have been conceived in willful misrepresentations and kindred dishonesty. For, a man who wanted a king and house of lords established upon the wreck of his country, never wanted the "fabric of the American empire founded upon the solid basis of the consent of the people"; nor is it his desire that "the streams of national power flow immediately from that pure original fountain of all legitimate authority." Nor is his political creed his "desire above all things to see the equality of all political rights exclusive of all hereditary distinctions, firmly established." But as a prejudice, ignorance or malice could never see any merit or usefulness in any thing not of its own kin, so neither can these political hacks see any good in any of Hamilton's labors, writings or advocacies. And while enjoying the advantages of a Constitutional government, the result of his labor more than to those of any other, some are they indeed, who constantly endeavor to exaggerate his short comings, and to misrepresent his policies, and devote their best efforts in reiterating the calumnies of the age.

NOTE — See appendix Freneau's appointment, character and and revelations in later life. Curtis says, "Hamilton answered in a dignified and a courteous manner and a conciliatory disposition, but with much feeling." (True Jefferson 243). Foreman says, that Jeffer-

son kept the peace in accordance with Washington's letter; but that Hamilton renewed his attacks upon Jefferson within six days after answering the President that he would keep the peace. Lodge says Hamilton kept the peace, but that Jefferson "opened up new trenches." Irving says, Hamilton was so small that a soldier knelt down on one knee when he put one foot on the soldier's knee and thus assisted he scaled the obstructions at the storming of the redoubts at Yorktown. (Irving's *Life of Washington*, vol. 4). Col. Carrington was commander of the artillery during the siege of Yorktown, and was a faithful soldier in his country's defence. Through Hamilton's influence, Mr. Bayard a member of Congress from Delaware, refused to vote on the thirty-sixth ballot, and one member from New Hampshire too remained away, which resulted in Mr. Jefferson's election the 17th day of February, 1801. And for this statesman like act Hamilton has not any reward by word or deed, but is compensated by those unpa donable attacks of the "Anas," published long after he was mouldering within that "grim cave," beneath the silent tomb. And their vilest charges are being republished from time to time as excellent editorial of some public prints. Curtis says, "One looks in vain through Mr. Jefferson's writings for even one word of condemnation of the murder of Alexander Hamilton, or even a regret. (True Jefferson, 1903). "All America mourned over the fate of such an innocent and illustrious victim." (National Portrait Gallery, 1852). Mr. Randolph of Roanoke says, "No man in the United States has been more misunderstood, no man more reviled than Alexander Hamilton " (National Portrait Gallery, Art. Timothy Pickering.)

On the 5th day of January, 1781, Mr. Jefferson fled from his home to avoid being captured by the English soldiers. Besides their being public enemies he had an additional cause for alarm, should he fall into their hands. For, within a year before a captain in the enemy's army had been taken prisoner by the Virginia militia. The prisoner was accused of inciting the Indians to acts of cruelty and barbarity, though it was afterwards shown that it was not true, but the accusation had its effect, and Mr. Jefferson, as governor put the prisoner in irons and confined him in a dungeon. When Washington heard of it, he immediately ordered the shackles stricken from the prisoner and that he be released from the dungeon, and treated as humanely as a prisoner of war deserves. That Captain had been exchanged, and was one of the soldiers, giving chase to Mr. Jefferson, who fled on horseback to avoid being captured. (Irving's *L. Wash.* vol. 4). So that while Hamilton was running after the English soldiers and finally assisted in capturing their largest army, Mr. Jefferson was running away from them to avoid being captured by them, and in a short time after, began a systematic attack upon the "Society of the Cincinnati." (See letters relating to that society). That Society was organized by the soldiers of the Revolution, and its purpose was "to perpetuate friendship, and to provide for the widows and orphans of those who had fallen in the war " At his death Hamilton was President of the Society. It was therefore Hamiltonism to assist in driving out the enemies of our country; but it was Mr. Jefferson's lot to run away from the soldiers of the enemy, in order to avoid being captured by them.

CHAPTER IV.

THE CHARGE OF "BELITTILING JEFFERSON" EXPLAINED AND
ANSWERED.

BUT it is charged that some are "belittling Jefferson." This is only apparent, and the reason for it is seen in the fact that we have been for nearly a century in detracting from Washington, Hamilton, Madison and many others, honors due to them for patriotic services to their country, and have attributed them to Jefferson, and now all efforts to render to them their just dues is classed as "belittling Jefferson." And as a complete silencer, and ostensibly to convince every one that he surpassed all others in the foundation of a government by the people, it is as complacently asserted that Jefferson wrote the Declaration of Independence, and therefore entitled to all the praises and gratitude of the age, hardly even considering the claims of the soldier, by whose efforts the enemy was driven from the colonial shores, and made that Declaration a success. But that venerable document is a most excellent compilation of the more important resolutions passed by the several colonies from time to time, and filed in the archives of Congress. These he collated and wove into that beautiful train of sensorious accusations for injuries suffered and rights denied, and which he ornamented with electrifying rhetoric, not surpassed by any writer of the age. Nevertheless some historians of the United States narrate facts which very strongly tend to show that this document is little else than a copy of the "Mecklenburg Declaration" passed about one year before at a meeting of the militia in the village of Mecklenburg, a small

town in North Carolina, now called Charlotte. (Willard's His. United States; Dictionary American Politics; Story of the Constitution, by Prof. Thorpe.)

NOTE —In keeping with the "Mecklenburg Declaration", the people of North Carolina celebrate the 20th day of May each year as the true "Independence day".—On the 7th day of June, Richard Henry Lee introduced into the Congress a resolution declaring that the United Colonies are, and of right ought to be, free and Independent States, and absolved from all allegiance to Great Britain. Mr. Lee had been chosen chairman of the committee, to draft the Declaration, but sickness called him home, and thereupon Mr. Jefferson was chosen in his stead. The Declaration was not signed by any of the members of Congress, except the President and Secretary until the 2nd day of August following. (Abbott's Lives, Signers &c. title Charles Carroll of Carrollton.) Webster says, "There is not a sentiment in that paper which had not been voted and resolved in the assemblies and in other popular bodies in the country, over and over again". (Reply to Hayne in U. S. Senate January 30, 1830.) In 1787 Nathan Dane introduced into the Congress an Ordinance for governing the Northwest Territory, which passed without a dissenting vote on July 13. On the cession of that Territory to the United States by the State of Virginia in 1794, Mr. Jefferson, as chairman of the committee on Territories introduced a similar Ordinance, but it failed to pass, even his own State voting against it. Yet he and his friends for him claim the honor of passing it through Congress and for the liberality of the Ordinance, especially the article prohibiting slavery within it, notwithstanding the fact that he was five thousand miles away at the time it was passed. It may be of interest to know that from that day on Mr. Jefferson never succeeded in getting any measure through Congress, until he was installed in the Presidential chair, when he then assumed complete domination, which continued until 1805, when his kinsman John Randolph, broke away, carrying with him eleven other members of his party in Congress. The reason Mr. Randolph alleged for that break, was that they had gone over to the Federalists' doctrines and policies, also Mr. Jefferson's remark in disparagement of the impeachment of Judge Chase that he had instigated. This attempted impeachment dates the decline of Mr. Jefferson in public favor. Forman says: "To Livingston, more than any other man was due a diplomatic success, which no other American envoy has ever been able to duplicate. Hardly however, had the Treaty been signed and dispatched to America before Livingston felt that Monroe was destined to enjoy the credit of it. The news from America served only to confirm his appreciation. Even the President complacently indentifying his claims with Monroe's, lent his personal influence to appreciate Monroe's services to the disparagement of Livingston." (Life and writings of Thos. Jefferson 1900.)

CHAPTER V.

PART OF HAMILTON'S EFFORTS IN BEHALF OF FREE-SPEECH,
EXPANSION, &c., WHILE HE WAS IN CONGRESS.

A GAIN while Hamilton was a member of the Continental Congress he endeavored to have their proceedings published, and the sessions held with open doors; that the soldier might know who was advocating his claims and who was opposing them as well. Yet these propositions were flouted and voted down. And in their jeers against him that were not only of disrespect, but were likewise intended to prevent their passage, or even a respectful hearing, the opponents of his measures suggested that if he were afraid his eloquence would be lost he might make his speeches from the balcony. They evidently were afraid of the people. In a later Congress some of those who strongly opposed these propositions were loud in their denunciations of Hamilton and his treasury measures as "monarchical designs intended to overthrow the government." And as a shift for their pretended sincerity, but real hypocrisy, they pompously advocated the publication of the proceedings of Congress and holding its sessions publicly. Mr. Mercer of Maryland was conspicuous in his opposition to the measures when proposed by Hamilton; yet while in the Congress assembled under the Constitution he was equally conspicuous in his advocacy of public sessions and publishing their proceedings. It was therefore all right in Mr. Mercer, but it was all wrong in Hamilton. We can scarcely forego the remark that it came from Mr. Mercer freighted with very bad grace. For he was a member of the Constitutional con-

vention but refused to sign it and is therefore in nowise a competent man to criticise Hamilton. Every one who opposed adoption was a strenuous opposer, if not an outright condemner of Hamilton, with scarcely an exception, and was equally the advocate of "Jeffersonism."

Again, during the war of 1812 all of Hamilton's sons who were old enough for military service were soldiers in the United States Army. One was an aid on General Scott's staff in our war with Mexico. Two of his grandsons were soldiers on the part of the Union in the war between the States with the rank of Major-General of volunteers; another was killed at the battle of Wichita in 1868 in our war with the Arapaho Indians; some of his descendants were soldiers on the part of the United States in our late war with Spain, so that the father and sons, nearly to the seventh generation were soldiers on the part of their country in all our wars for the support and maintenance of our Constitutional government. But Mr. Jefferson, nor any of his descendants were as much as soldier's in the Revolution, nor in any other way did they fight monarchy with the sword, nor did they expose themselves to the hardships and dangers of a soldiers lot. A great grand-son of Hamilton's was the commander of the military escort of honor that accompanied the funeral procession of the late President McKinley from Buffalo to Washington, and from that city to Canton.

NOTE — Lieutenant Lonis McLane Hamilton was the commander of the military escort in the McKinley funeral procession, and is the son of Dr. Allen McLane Hamilton, a famous physician of New York city, who is the son of Philip Hamilton, youngest son of Alexander Hamilton. Lieut. Hamilton was courtmartialed and dismissed from the army while serving in the Phillipines, on charge of unsoldierly conduct towards a superior officer, but the President revoked that order of dis-

missal and reinstated him, requiring that he make a public apology, with a slight reduction of, or postponing the order, of promotion. One among the reasons assigned by the President for his action was that "Captain Hamilton had been a brave soldier." Thomas Jefferson Randolph, a grandson of Mr. Jefferson, was a soldier of some note against the United States in the war between the States. (True Jefferson, by William Ellery Curtiss, 1901).



CHAPTER VI.

THE CHARGE THAT HAMILTON HAD NOT ANY CONFIDENCE IN
A GOVERNMENT OF THE PEOPLE REFUTED.

BUT it is charged that Hamilton had not any confidence in a government of the people, especially in the State governments. That he feared the encroachments of the State governments upon the general government, is not denied even by his partial friends. These fears were grounded upon the unequal population among the several States. The larger States in his opinion having too great advantage over the smaller in the House of Representatives. Virginia, being the largest State in point of population, had the greatest representation and dominated the policy of the government and the legislation of the times. They were divided on the "Alien and Sedition Laws," opposed by Hamilton and successfully charged up to the administration by the unsurpassed political acumen and unexcelled craftiness of Mr. Jefferson. (Letter to S. T. Mason, 1798; also letter to James Madison, 1798.)

These bald assertions are again refuted by the further fact, that during the contest in Congress in 1800 and 1801 he planted, with his own hands, in the

lawn fronting his residence thirteen trees in honor of the thirteen original states. He likewise implicitly trusted his debtors and only lost few debts, the most conspicuous being that of his assassin. While on the other hand, Mr. Jefferson would not even sell a bushel of corn without the cash or note with surety; nor would he rent even a small piece of land to any one without its being in writing and verified by witnesses. This was properly regarded in him as nothing more than a careful business transaction; but in the judgment of the traducers of Hamilton, or in the voicing of the back-biters of the day, it would have been conclusive evidence of his want of confidence in the people. In other words, conclusive evidence of "Hamiltonism."

NOTE.—Patrick Henry says, the "Alien and Sedition Laws," were good and proper laws, and that it is better to go wrong with the administration than to split up into factions." Those laws were condemned in unmeasured terms by a press much "assisted" if not subsidized for the purpose. (Am. Eloquence, Sketch of Henry). Atherton says that Burr paid Hamilton's debt after his death, which is not very probable. The trees that Hamilton planted in honor of the "Thirteen Original States" are of the gum variety, and are of the hardiest and most durable trees peculiar to this country. Some of them are still standing.



CHAPTER VII.

THE "LOUISIANA PURCHASE" SUCCINCTLY NOTED.

A GAIN, it is unqualifiedly asserted that we are indebted to Mr. Jefferson for the "Louisiana Purchase," and even intimated that without his concurrence we never would have acquired that territory, or that annexation could never have been achieved, and many are they who sincerely believe it whose opinions are entitled to respect. Now let us examine the facts in reference to that transaction.

In the first place Mr. Jefferson contended that there was not any power or authority conferred by the Constitution upon the United States government to make that purchase, and he even drafted an amendment, ratifying that act, or purchase, however unreasonable or unnecessary it may have been. This view of the powers of Congress, is indicated by a letter among others to Levi Lincoln, then a member of his Cabinet, as Attorney General, advising him, "That the less is said about any Constitutional difficulty the better, and that it will be desirable for Congress to do what is necessary in silence." Thus slyly and in modest words he thrusts at them his dictation, admirably clothing his behest with the words, "It will be desirable to do what is necessary in silence." But public opinion compelled Mr. Jefferson to act in accordance with Hamilton's opinion of the power of Congress, or as conferred by the Constitution upon the government. Hamilton contended that such powers are conferred by the implied powers of the Constitution, which he had enunciated in February, 1791, in Washington's

Cabinet during the consideration of the question of incorporating the first United States bank, and this view has generally been followed by statesmen and jurists, and is received in this day as the correct construction.

But Mr. Jefferson's instruction to the ministers to France is in these words, "To secure our rights and interests in the Mississippi and the territories eastward thereof." This instruction means anything you may want, or not any thing you do not want, and passes current as enlightened statesmanship and dazzling diplomacy, by accommodating itself to any opinion or circumstance, and is therefore an excellent illustration of "Jeffersonism." In the accomplishment of such turns, he was the most brilliant example of the skilled politician since Julius Caesar.

Further, on the accession of Mr. Jefferson to the Presidency, he appointed Robert R. Livingston a minister to France, and with this instruction in 1803, he added James Monroe to the commission. Previous to Mr. Monroe's arrival in Paris, Mr. Livingston in an elaborate and interesting memoir addressed to the French government had prepared them for the cession of the greater part of Louisiana. Then Napoleon proposed to sell the Territory and the commissioners bought it and fixed the terms of purchase without waiting for any further instruction. So that it is not far amiss when it was said that we are more indebted to Napoleon and the ministers than we are to Mr. Jefferson for the acquisition of the territory, as asserted by the one paper and to which the other took exception.

When the question of approval of that purchase was being considered by Congress, Mr. Jefferson instructed his partisans not to allow more than one day for its consideration, which is the first instance of the application of the "gag rule" in the American Congress. The alleged excuse was, that some parties in France

had become dissatisfied with Napoleon's action of parting with such a large territory for such a small sum. This was an ingenious device or subterfuge and is equally well suited to the occasion, and constitutes one of these brilliant political strokes of that prince of politicians; as he did not want his enemies in Congress to have that opportunity of discussing in that body on that occasion, his inconsistencies in reference to the purchase.

Again, pending the difficulties between the United States and France in 1798, Washington was appointed general of the armies to be raised, and by his direction Hamilton was appointed first major general; as such, he at once proceeded to organize the army. He drafted plans for the conquest of the "Louisiana Territory" and the Floridas. And in 1799, he wrote to Timothy Pickering, then Secretary of State, in these words, "I have long been in the habit of considering the New Orleans country and the Floridas as necessary to the peace and happiness of this county." Farther, in 1792 he wrote to his friend Ned Stevens, that he had urged President Washington for three years to use suitable measures to secure these possessions. And while he was in the Continental Congress he offered resolutions to that body, embodying the idea of acquiring these territories. So that twenty years before the purchase Hamilton had suggested it to the American Congress.

Again, during the time he was a member of that Congress he offered resolutions announcing the principle of "non-interference," saying, "Let Europe keep hands off America." This President Monroe presented to Congress in his message in December, 1823, and through which he became famous as the promulgator of the principal of "non-interference," or note of warning to Europe not to interfere in the political affairs of the Americas, now popularly known as the "Monroe

Doctrine." So that forty years before President Monroe presented that question to Congress Hamilton had suggested it to the old Continental Congress. Thus verifying the words of Judge Ambrose Spencer, a contemporary of Hamilton, when he said, "Hundreds of statesmen and politicians get the web and woof of their thoughts from Hamilton's brains."

NOTE.—During the session of Congress sitting the year 1902-03, Mr. Alexander a member from New York boldly asserted on the floor of Congress that Mr. Livingston was the real purchaser of the "Louisiana Territory." Livingston wanted the position of the United States Treasurer, but Washington appointed William Duer. Livingston's disappointment found vent in his continuous disparagement of the administration and the management of the Treasury Department. Hamilton had encompassed his defeat for the United States Senate and had recommended the appointment of Duer, and hence, his hostility towards Hamilton. Duer became insolvent while in office, and thereby furnished the coveted opportunity of renewed attacks upon the Treasury Department. Livingston was the brother-in-law of Mr. Chief Justice Lewis who tried the *Croswell*-case and manifested his partiality when that case was tried on appeal to the Supreme Court. He not only presided on the trial of the appeal but voted to sustain his decisions, even went to the length of writing a strong opinion in justification of his rulings. Livingston was a brother of Brockholst Livingston, who was one of the judges on the trial of the appeal, and also the implacable enemy of Hamilton. Out of ill-will towards Hamilton, President Adams sent into the Senate the names of Henry Knox, Charles C. Pinckney and Alexander Hamilton to be major-generals in the army. This had the semblance of justice as Hamilton was the youngest and Knox had had the highest rank and Pinckney the next, but it was the reverse order from Washington's request; and when he learned that fact he at once wrote to Mr. Adams notifying him, that unless the appointments were made in the order he had requested, he would not accept the command of the army. And his correct judgment of men had the sanction of the age and is generally conceded on all sides. In that letter Washington says, that Hamilton had been his "principal and most confidential aid," and was fully able to fill the post he had assigned. The appointment was made as requested, for Washington's command of the army was regarded by the country at large as an absolute necessity. Upon his death the command fell upon Hamilton as the senior general. But President Adams disbanded the army in keeping with behests of his political enemies who pretended that it was a dangerous menace to the country,

and they promptly improved their opportunity to induce him to ruin his every chance for further political success. Notwithstanding these two follies Mr. Adams added a third, by endeavoring to circulate over the country generally, and especially throughout the Eastern States, the story or rather real falsehood, that Hamilton was in the pay of some English mereenaries in their attempts to overthrow the government, and his political enemies were fostering these attacks with telling effect; yet Mr. Adams' egotism and spitefulness did not permit him to see the ruin he was bringing upon himself. For, these acts of unpardonable spite, were exactly what the opposition wanted Mr. Adams to do, he therefore fell into the snare and brought down upon himself Hamilton's attack, which was not possible for him to withstand, and he thereby lost his attempted re-election, and with it much of his former popularity and esteem. At this day we cannot but wonder that a man of Mr. Adams' gifts and experience could be so lost to the ordinary support of common sense, as to have committed such a blunder, at that importune time. Well did Franklin observe, that Mr. Adams was always honest, sometimes great and often mad.



CHAPTER VIII.

MR. JEFFERSON'S "FAMOUS BILL OF RIGHTS" SHOWN.

BUT it is said that when Mr. Jefferson returned from France he immediately bent all his energies in supplying the defects of the Constitution, and to that end he framed his "Famous Bill of Rights." Sections nine and ten Article one constitute the "Bill of Rights" of the Constitution. (No. 85 Federalist)

Congress convened under the Constitution in March, 1789, and early in the session Mr. Madison introduced a number of amendments, twelve of which passed both houses and received the signature of President Washington on the 25th day of the following September and immediately submitted to the State for ratification and Congress adjourned on the 29th.

On the 20th day of the following November, New Jersey ratified ten of the proposed amendments. On the 15th day of December, 1791, two years, two months and twenty days after they had received Washington's approval they were adopted by Virginia; she being the last of the necessary number of States to ratify them in order to constitute them a part of the Constitution. Mr. Jefferson did not arrive from France until December, 1789, so that Congress had not only passed the six amendments comprising the "Bill of Rights" popularly so called; but even one State had ratified it while he was beyond the limits of the United States. And even his own State which usually took credit for every thing of merit of that day, was the last of the necessary number of States to ratify these amendments, or, the alleged "Famous Bill of Rights." And it is a curious fact that the substance of these amendments is embodied in the report submitted by Hamilton to the convention, when the State of New York adopted the Constitution, with the exception of that guaranteeing religious liberty. Mr. Jefferson was by far the ablest man of his age, to successfully attribute to himself the works of other men. The history of the world furnishes a few equals and only one superior. If allowable, let us summarize: "The Declaration of Independence;" "The Famous Bill of Rights;" The "Ordinance for governing the Northwest territory;" and the "Louisiana Purchase." The exposition of these has already been sufficiently indicated and therefore it need only be added; "the many reforms in the laws of Virginia," were principally the work of George Wythe, Mr. Jefferson's preceptor, and Virginia's greatest chancellor; and the "First Inauguration Address," wherein is beautifully paraphrased the "Neutrality Proclamation," and the letters of "Pacificus," written by Hamilton advocating and explaining it, that the general reader seems satisfied the claim is

correct, and that Mr. Jefferson's friends proclaim for him without question.

NOTE.—We naturally suppose that in the State of New York Hamilton was best known. In that State a County, City, State Institutions, Naval Hospital on Staten Island bear his name. Tombs and statues have been erected by the State, to which may be added a Post-office, an important county, colleges and numerous private institutions and a theological school commemorate his name and honor.

But a late biographer, in speaking of the honors due to Mr. Jefferson says, "He honored Virginia more than any of her sons except Washington, but Virginia, one of the greatest and most ungrateful States has not honored him. His friends and neighbors permitted him to die destitute and his family to be driven by poverty from their home; and his grave to be trampled upon and his tomb to be desecrated. The legislature has ever shown a penurious policy towards the University he had founded. In Powhattan county a little Post-office bears the name of Jefferson, but no where else does it appear on the map of Virginia." (True Jefferson 120 and 121.) He was doubtless better known in his own State than he was any where else, yet there Mr. Jefferson is almost unwept and unsung. Ever the advocate of the rights of the States, yet within his own State his name scarcely has any honor. Whereas on the contrary where Hamilton was best known honors to him have never ceased. The alleged destroyer of the individuality of the States, his own State continues to honor him upon every side. Even in the State of Virginia, an important village and two hamlets, railroad station and a crossing, and an institution of learning bear the name of Hamilton.

On the 10th day of March, 1831, at a dinner in the City of New York, to the toast of, "The State of New York," Daniel Webster, among the eulogies of Hamilton said, "He smote the rock of the national resources and abundant streams of revenue gushed forth. He touched the dead corpse of the Public Credit and it sprang to its feet. The fabled birth of Minerva as springing from the crown of Jupiter was not more wonderful than the Restoration of the Public Credit, by Alexander Hamilton."

On the accession of Mr. Madison to the Presidency in 1809 Congress ordered Hamilton's report on the "Public Credit" to be printed by the public printer, and many thousand copies of it distributed throughout the United States.

CHAPTER IX.

“JEFFERSONISM vs. HAMILTONISM” DURING JACKSON’S ADMINISTRATION IN REFERENCE TO THE UNITED STATES BANK.

BUT it is said that Jeffersonism” prevailed over “Hamiltonism” during Jackson’s administration, in reference to the United States bank, and great satisfaction is apparently drawn from this assertion, as though it were a mere truism or admitted on all hands. Now let us examine the history of that transaction and consider its effects upon the prosperity and business interests of the country. Hamilton originated the United States Bank as a part of his scheme in evolving the Treasury System. He first suggested it in 1780 by his letter to John Morris who was at that time the financial agent of the Confederation.

President Jackson vetoed the measure to re-incorporate the bank on the alleged ground that it was not within the powers granted by the Constitution to Congress or to the government. The original measure to incorporate the bank was signed by President Washington in 1791; and on the 22nd day of March, 1804, President Jefferson approved a bill to incorporate a branch bank at New Orleans; and in 1816 President Madison approved a measure to re-incorporate the bank; and the United States Supreme Court had decided that such incorporation is within the power granted to Congress or conferred on the government by the Constitution; so that Jackson set himself up as a better expounder of the Constitution, than were Washington,

Hamilton and Madison who helped to make it, or even the great chief justice and the other members of the Supreme Court, and entirely ignoring the well recognized principle, that "a contemporaneous exposition is greatest and most powerful in the law." Times and men may change but principles never change. Yet, a politician usually gives little heed to legal maxims, as he only seeks the popularity of the times or the approbation of the age. "*Optimus interpret rerum usus.*"

In reference to this matter President Jackson said, "The Congress, the Executive and the Court must each for itself be guided by its own opinions of the Constitution as he understands it, and not as it is understood by others." This is only plausible and equally deceptive and comes from President Jackson with bad grace, when we consider what was intended by him in that veto. For its effect was to defeat that measure passed by a majority of Congress who more immediately represent the people, and in keeping with current history, they represented the majority of the people, whose will was throttled by that veto. And this too in the face of his declaration, that, "Each Congress, Executive and Court is to support the Constitution as it is understands it and not as it is understood by others." Yet by his veto he compelled that majority to accept his construction of the Constitution as he understood it, and not as understood by them. Had he refused to sign the bill, he would have been consistent with his declaration of the "right of each" to follow the Constitution as understood by it. But such a course would not harmonize with a despotic disposition and arbitrary work. For, by this act he chose to override the opinions of all others and to substitute his own for those of a majority of the people. So that Daniel Webster was not wide of the mark in his address before the Senate while they were considering

that veto when he exclaims, "Social disorder, entire uncertainty in regard to individual rights and individual duties, the cessation of legal authority, confusion and dissolution of free government would certainly follow. If such opinions be maintained there is an end of law and all judicial authority." (Bishop's First Book of Law, Sec. 120.) It is certainly worthy of remark that this arbitrary course did not appear until after Mr. Jackson's second election, when his political ascendancy was at an end.

In his message to Congress in December, 1832, President Jackson submitted the question, whether the funds of the United States could safely remain in the bank. In the following March the house of Representatives answered by resolution that the funds were safe in the bank. Yet on the 23rd day of the following September, and in the recess of Congress he removed William J. Duane from the position of Secretary of the Treasury, because in the absence of a direction from Congress he refused to remove the moneys of the United States from the bank and deposit them in the designated State banks. In his stead Mr. Jackson appointed Roger B. Taney, but the Senate refused to confirm him as such secretary. In obedience to the President's directions Mr. Taney ordered the collectors to deposit the funds thereafter collected, in those banks known as "banks of deposit," which were in derision called "pet banks." The funds were drawn out of the bank as needed, which soon rendered it useless. Thus accomplishing indirectly what could not be done directly, and partly overruling the public will, and partly avoiding public censure, was a brilliant political stroke for which he is entitled to all the credit due to it, even if that be none at all; to-wit, the destruction of the United States Bank. For it is said that in politics "there is nothing succeeds like success."

But Congress was opposed to this removal of the United States money and the establishment of the system of banks of deposit, and thereupon the Senate expressed its disapproval by a resolution censuring him for it, as being a "violation of the Constitution and of the laws of Congress." So that Mr. Jackson was the first President ever censured by a resolution of either house of the national legislature. (Dictionary American Politics.) It may not be amiss to recollect that Mr. Jackson was one of the eleven members of Congress who in 1798 voted to expunge from the journals of a former Congress a resolution endorsing the foreign policy of President Washington. That policy now constitutes the basis of the foreign policy of the national government. (Irving's *Life of Washington* vol. 4.) The resolution was approved by Mr. Jefferson (if not instigated by him,) written by Mr. Madison, and introduced into the House of Representatives by William B. Giles of Virginia. This man Giles is lauded by Mr. Jefferson in one of his letters as something great, and described by a late writer as a pliant tool, a skeptic devoid of scruples and fit for any desperate work. (Lodge's *Life of Hamilton* ; vol. 4, His. Rep.)

As a result of depositing the public funds in those banks, their credit was greatly extended and considerable artificial stimulus was engendered in the business interests of the country. Sales of government lands increased and the public debt was nearly extinguished with this inflated money; new banks, with little or no capital sprang up every where and their circulating notes were rapidly absorbed, making money matters easy and prosperity everywhere felt by the people, who were instant in their praises of that system. But it soon became evident to the administration that a panic was at hand, and in an effort to avert it, the Secretary of the Treasury, under Mr. Jackson's direction, on the 11th

day of July, 1836, issued an order known as the "specie circular." This letter directed all government agents not to receive anything but gold and silver in payment for the sale of government lands. As a result the use of the notes diminished and when they were presented for payment as a matter of course it was refused. This action of the administration was in a short time followed by the suspension of specie payments as a necessary consequence. Closely following that suspension came the "Revulsion of '37," the greatest money panic and commercial crisis that this country ever experienced, and is popularly known as "the hard times." The financial distress of that time has never had its equal in the United States. It is little short of being evident that the object of the "Specie Circular" was to circumvent Mr. Van Buren's election while proclaiming to advocate it.

But by the time this stringency in money matters was generally felt among the people, Mr. Jackson was out of office and therefore did not receive the blame due to his arbitrary proceedings and financial follies; but was laid to the charge of his successor, because the distressing effects were experienced in the latter's administration, and for this cause he was so unprecedentedly beaten when he sought re-election. It is possible that Mr. Jackson foresaw the result of his financial policy, and had laid that scheme in order to lionize his own administration, and thus show himself to have been a political leader; and discount his predecessor's as to payment of the public debt, followed with a flush of times until he went out of office. Thus to stand out in bold contrast of his successor's, which bore the infirmities of his administration. For, when we consider that Mr. Jackson joined in voting for a resolution offered for the purpose of disparaging Washington's administration, and had not any regard for the opinion of Jefferson, Madison

and the greatest judge of modern times as to Constitutional questions, what regard would such a politician have for his successor's fame. He even seemed to think his own opinion was the only rule of construction of the Constitution. Yet his action might perchance be excused upon the ground that the members of the Supreme Court were great lawyers, but Mr. Jackson was little else than a successful politician, whose ignorance left his egotism free to imagine that he was the only true expounder of the Constitution, especially of that age. (See letter of Mr. Jefferson to Daniel Webster in 1824, True Jefferson 235)



CHAPTER X.

HAMILTON'S ESTIMATION OF THE UNITED STATES COURTS
AND JEFFERSON'S HOSTILITY TO THEM SHOWN.

A GAIN, Hamilton was a staunch supporter of the courts and advocated the Judiciary department of the United States as a necessary protection to the citizen in the exercise of his constitutional privileges. "A voluminous code of laws is one of the inconveniences necessarily connected with the advantages of a free government," and hence the necessity of a peaceful tribunal to interpret the laws, and to maintain constitutional authority. (Nos. 78, 79, 80, 81, 82 and 83, Federalist.)

A brief summary of the principal points indicated by him may be of interest. Let us summarize these words, "That the courts are to act as barriers against the encroachments and oppressions of the legislative

body; that they are the least dangerous to the political rights of the Constitution; that the interpretation of the laws is the peculiar and proper province of the courts; that it is the duty of the courts to declare void all acts contrary to the constitution; that the judges ought to hold by permanent tenure of office, and to insure independence, should have permanent support or salary; that the measurement of the faculties of the mind has no place in the catalogue of known arts; that if there are such things as political axioms, the propriety of the judicial department of the government being co-extensive with the legislative, may be ranked as among the number; that thirteen independent courts of final jurisdiction over the same causes arising upon the same laws, is a hydra in the government from which nothing but contradiction and confusion can proceed; that the Constitution ought to be the standard for construction of the laws; that contracts between a nation and individuals are only binding upon the conscience of the sovereign, and have no pretensions of compulsive force; and that the judiciary department of the government looks beyond its own local jurisdiction, and, in civil cases, lays hold of all subjects of litigation between parties within its jurisdiction, though the causes of the dispute are relative to the laws of the most distant part of the globe." This enumeration comprises most of the great principles of the jurisprudence of the United States, especially as to constitutional questions. So that it is not far amiss when it is said that Judge Marshall made them the corner stone of his decisions of the great constitutional questions. These decisions are now followed with but little or no hesitancy as the correct construction of the fundamental law. It may be also proper to add, that Hamilton drafted the judiciary act, passed by Congress in 1792, which

has stood the tests of party rancors, critics and demagogues until now.

Chancellor Kent makes this summary the basis of his lectures on the "Jurisprudence of the United States." (Lectures 14, 15, 16 and 17.) These lectures are read with interest by the liberally educated, to a greater or less extent at least, whether students of the law, or, by the publicist and the scholar, in their pursuit of a general and accomplished education.

A word may not be without interest in reference to Hamilton as a lawyer, and in this connection the great chancellor says, "That accomplished Lawyer's arguments on commercial as well as other questions were remarkable for freedom and energy; and he was eminently distinguished for completely exhausting every subject which he discussed, and in leaving no argument on the adverse side unnoticed and unanswered. He traced doctrines to their source or probed them to their foundations, and at the same time paid the highest deference to sound authority. The reported cases do no kind of justice to his close and accurate logic; to his powerful and comprehensive intellect; to the extent of his knowledge, or the eloquence of his illustrations. Principles were stated, reasoned upon, enlarged and explained, until those who heard him were lost in admiration of the strength and stretch of the human understanding," (3 Kent 20). Thus much for Hamiltonism upon these questions.

But Mr. Jefferson's dislike of the courts, particularly the United States courts, probably is as little known as Hamilton's high estimate of them. He expressed his dislike, if not real hatred, among many others, in these words, "The judiciary of the United States is the subtle corps of sappers and miners, constantly working underground to undermine the foundations of our confederate fabric." (See letter to Thomas Ritchie in 1820.) And later he wrote his disapprobation by defining the

judiciary department of the United States as "our foreign department." (See letter to Edward Livingston in 1825.) He characterized the decision made by Judge Marshall in the "Cohens case," (6 Wheaton's U. S. S. C., Reports 264, decided in 1820), as a bare-faced imposition, and broadly hinted at some kind of armed revolt against it. The "Cohens" case arose under an act of Congress instituting a lottery in the district of Columbia, and the defendants were prosecuted for selling tickets in that lottery within the bounds of the State of Virginia, contrary to an act of its legislature. They were adjudged guilty and the judgment was sustained by the highest courts of the State, though the defendants claimed the protection of the act of Congress. The case was removed to the United States Supreme Court, by writ of error to the State court. It was made a great point whether the Supreme Court had jurisdiction of the writ. The court held that it had jurisdiction, and that the laws of the United States superceded those of the State of Virginia, and so reversed the judgment of the State court; and it is upon that judgment that Mr. Jefferson animadverts so strongly. (Kent) It may not be amiss to recall the fact that in the decision of that case, chief-justice Marshall reiterates the substance of a number of the maxims of Hamilton above quoted. And it may also be of interest to know that the court were unanimous in their decision; and that Judge Johnson and Judge Brockholst Livingston, two of the members of the court at the time and concurring in the judgment, had been appointed by Mr. Jefferson; and that judges Todd, Duvall and Story had been appointed by Mr. Madison at the behest of Mr. Jefferson. (See letter to Madison in reference to appointing "Republican" judges to fill the vacancies on the Supreme Court of the United States; also letters referred to in note.) In the legal fraternity, it is conceded that Judge Storey is

second only to Judge Marshall, who is second to none in the world's history of jurisprudence. In his letter to Judge Johnson in 1823 Mr. Jefferson strongly indicates his disposition to dominate the courts. He not only indicates what the court should do, but attempts to tell them how to do it, the personification of the political intruder, in this age termed the "political boss." He scolds them saying, the idea of cooking up opinions &c. He wanted the Constitution so amended as to make judges elective for four or six years, and removable by the President (True Jefferson 229.) Thus rendering the Judicial Department subject to the control of every political hack who might by chance occupy and exercise the office of President.

NOTE.—Late in the year 1802 John Randolph, a kinsman to Mr. Jefferson and at his instigation introduced into the House of Representatives resolutions of impeachment of John Pickering, judge of the United States Court for the State of New Hampshire. He was charged with making unlawful decisions, drunkenness and profanity. The trial was had before the United States Senate, and by a Party vote Judge Pickering was on the 12th day of March, 1803, convicted and removed from office. Judge Pickering did not make any defense. His sons claimed that he was insane and asked that the hearing be postponed to enable them to make the proof, but this was denied him. He was a soldier of the revolution and had been appointed by Washington because of worthy services to his country, and this together with his misfortune did not save him from the effects of a partisan vote of a partisan Congress. Late in the year 1804 Mr. Randolph also brought forward a series of charges against Samuel Chase, then a member of the Supreme Court of the United States. He was charged with misconduct in reference to a certain jurymen, a certain witness, a motion for continuance, rude, contemptuous and indecent conduct during a certain trial, issuing a bench warrant, &c. The trial began before the Senate on the 2nd of January, 1805, and lasted until March 1st following. He made a vigorous defence and was acquitted of all charges. (Dic. Am. Pol.) Judge Chase was one of the signers of the Declaration of Independence, and had been appointed by President Washington, and remained upon the bench until his death in 1811. These proceedings embittered his remaining years and he has been credited with charging the attempted

impeachment to the instigation of Mr. Jefferson, his most bitter personal and political enemy. There is no doubt, however, that he heartily sympathized with the effort, and lamented the failure. For he expresses his disappointment in a letter to his intimate friend a short time after saying, "Impeachment will not be tried again." (See letter to William B. Giles in 1807.) And in a later day he expressed his disgust of the failure in his intimation that, "impeachment is scarcely a scare crow." (Letter to C. Hammond in 1821.) At the juncture of the Chase impeachment failure, Mr. Randolph and Mr. Jefferson became implacable enemies. The cause is in part due to Mr. Jefferson's failure or refusal to lend his influence in assisting the efforts to impeach Judge Chase, and endeavoring to shield himself from blame for its instigation. He was reported as declaring that the proceedings were ill advised and even conducted without energy or ability. This exasperated Mr. Randolph who afterwards denounced him as a Pharisee and hypocrite and dubbed him as "St. Thomas of Cantingbury." Whereupon Mr. Jefferson in turn, denounced him as a traitor to the country. And Forman says, "Heading a few dissatisfied members he broke away from the government." (L. T. J. 1900.) This denunciation is logically true, because Mr. Jefferson considered his management and policies, as the "government," and therefore any one who opposed his measures, in his estimation, was "a traitor to the government" (Letters to Madison; True Jefferson Chap. 8.)

The writer of this note has always been of the opinion that the object of those impeachments was finally to get rid of Chief-Justice Marshall, whom Mr. Jefferson heartily hated, and even distrusted. He complained bitterly of Mr. Adams for his appointment of Marshall, and regarded it as a personal affront and an unwarranted intrusion upon his prerogative. He seldom missed the opportunity to decry his decisions, especially those upon Constitutional questions, wherein Judge Marshall shines out with the greatest luster and fame. For his name is enrolled in the brightest of the constellation of great jurists; and to whom the people of the United States are indebted more than to any other for their magnificent jurisprudence, without which the Republic would soon sink into anarchy and consequent ruin. Mr. Jefferson strongly intimates his desire to make the courts subservient to his political views by his letter to Mr. Gallatin in 1810, in which he says; "We now have a chance of getting a Republican majority in the Supreme judiciary. The event is a fortunate one and a God-send to me, and I am sure its importance to the nation will be felt, and the occasion employed to complete the great operation they have been so long executing, by the appointment of a Republican, with nothing equivocal about him." Washington's selection of judges was guided by the principles of patriotism and merit, as well as qualification, but Mr. Jefferson insisted upon the appointment of his partisans, with nothing equivocal about them. This would more or less render them subject to his influence and control, another evidence of the perfect politician and alluring "Jeffersonism." This would seem to be in his estimation the only qualification the courts need have; the law seemingly to be a secondary consideration; and which would in a lamentable measure deprive the Judiciary Department of its independence as intended by the Constitution.

Curtis says, "It was one of the most dramatic incidents of history that Alexander Hamilton should have been the chief instrument to assist Jefferson in reaching the summit of his ambition, the Presidency. Hamilton persuaded two members from Maryland and one from Delaware to cast blank ballots, and a member from Vermont to remain away, electing Jefferson without change of vote." (True Jefferson 283.) He further remarks, "When one first reads the confidential note book which Mr. Jefferson called his 'Anas', it is almost impossible to resist the inclination to question his integrity. These odious records of malicious gossip accepted from all sort of irresponsible sources and set down as truth, show that he either had a craving for scandal, or that his credulity was greater than his intelligence;" that the writing of the *Anas* was one of the meanest acts recorded in history. He watched with mistrust all who differed with him. He suspected the honesty of their motives and was ever ready to accept as true all the evil reports that came to him concerning them " (Ibid.)

The Embargo Act was passed December 22, 1807. It was an incident to Mr. Jefferson's pet folly euphonized as "peaceable coercion." It was enforced with great difficulty, because of the destruction of the commercial interests of the country, and the consequent distress arising out of it. The oppressive measures taken to carry it into effect culminated in dictatorial powers extended by Congress to the President in January 1809. These measures raised such a cry of indignation by those who were distressed by them, that, in a few weeks they were repealed, to take effect March 5, 1809, the day that Mr. Jefferson went out of office. His systematic penuriousness towards the army and navy soon rendered them so useless that England and France insulted us with impunity, and also rendered the outrage upon the "Chesapeake" an easy matter. So that the redress demanded, was so much delayed as amounted to contemptuous refusal. The effect of the Embargo, (which the opponents termed "O-Grab-Me-Act," was to distress American commerce, without beneficial effect, and only incurred the ridicule of England. The commercial portion of the United States opposed Mr. Jefferson and especially his policies, and therefore regarded these measures as an attack upon them, because of their opposition to him.

From the passage of the Embargo act until the close of his Presidential term, Mr. Jefferson rapidly declined in public and private favor, which the wisdom and diplomacy of his great Secretaries could neither avoid nor scarcely check. Even his friends and his neighbors permitted his mansion to pass into the hands of strangers, and his family finally to seek shelter in a distant State. (True Jefferson.) Judson says, "When Mr. Jefferson retired to Montecello his popularity had vanquished. The brilliant success of his first term was totally eclipsed by the disastrous failures of his pet measure, the Embargo. His diplomacy scores one brilliant success—The Louisiana Purchase—and that was an accident. The rest was a series of mortifying failures. To him more than any one else we owe the disasters of the war of 1812." (The Growth of the American Nation 170.)

CHAPTER XI.

THE BASEST CHARGE AGAINST HAMILTON REFUTED.

BUT worse than all, it is boldly and unqualifiedly charged that Hamilton was not only a "monarchist," but wanted "a monarchy bottomed on corruption," and some are they who pretend to believe it, as if it were a mere truism. Of all the groundless charges made against a patriot, this is certainly the most inexcusable, and stifled justice seems to say, "An enemy hath done this." It is but sowing the cockle of slander over his labors after he is sleeping the sleep that knows no waking. It comes not far short of showing of itself to have been made with an intent to blacken the memory of the dead, of irritating his friends and wounding his relatives, and therefore one of the most diabolical calumnies of any age. And well, indeed, did his faithful friend Gouverneur Morris warn him against accepting the office of Secretary of the United States Treasury, because, as he alleged, little else than misrepresentation, calumny and falsehood would be the reward of his labors and crown of his greatest success. In answering Hamilton said, "Of that I am aware, but I believe that it is the position in which I can do the most good to the country."

But to the origin and foundation of this charge. This story is copied from Mr. Jefferson's "Introduction" to the "Anas," which he dated for publication as of February 4, 1818. In attempting to shield himself from expected and deserved censure, he assumes an air of fairness and pretended regard for the correctness of his statements, an ungainly daughter of deception. In mis-

representing the purposes and designs of his political opponents, Mr. Jefferson had not a superior among the politicians of any age, and even scarcely had he an equal. In this attempt, he narrates an incident, which he claims fully discloses this alleged iniquitous desire of Hamilton. The narrative is in these words, "That at a dinner in April, 1791, at Mr. Jefferson's house," the narrative continues, "after the cloth had been removed the conversation was led to the British Constitution, upon which Mr. Adams said, 'Purge that Constitution of its corruption and give to its popular branch equality of representation and it would be the most perfect ever devised by the wit of man.' Hamilton paused and said, 'Purge it of its corruption and give to its popular branch equality of representation and it would become an impracticable government. As it stands, with all its supposed defects, it is the most perfect government that ever existed.' " It is evident that Hamilton spoke in derision of the alleged corruption and supposed defects of the English Constitution, the out growth of ages, with its right of trial by jury, "The glory of the English law." (Blackstone.) That Constitution was much more unfairly and corruptly administered than it is in its outline or its principles of government. For, until the organization of the United States government under the Constitution, the English Constitution had been the most successful and the denial to the colonies of their rights under it caused the Revolution, enobling their cause and justified their actions, and gave to them their world wide fame. The result is the greatest Republic on earth, for "It is an ill wind that does not blow any good."

Yet Mr. Jefferson manifests a fear that his assertion would not be accepted in the light he evidently intended it should be, he exclaims, "For the truth of which I attest the God that made me," a kind of hedging, before any doubt had been expressed upon it, and there-

fore endeavors to fortify himself against future analysis of this traducing of the dead, the most repulsive daughter of malice. But as skeptics usually do when their revelations, or disclosures do not accord with the generally accepted facts or the history of the time, he "attests" the Creator, so that the believing reader may thereby feel himself constrained to give credence to a narrative that contradicts every known or accepted fact. But as Hamilton and Adams had not been on speaking terms since the election of Washington, because Hamilton advocated the election of Charles Cotesworth Pinckney to the Vice-Presidency; and the fact that the "Anas" were not dated for publication by Mr. Jefferson until nearly fourteen years after Hamilton's death; and, as Hamilton and Jefferson had not any social relations, or were on friendly terms since the prior February while the Cabinet were considering the question of incorporating the first United States bank, it is not therefore probable that such conversation occurred, or, at least, was misunderstood, if not intentionally misrepresented. A careful consideration of the circumstances attending that occasion and Mr. Adams' letter denying the alleged conversation, justifies the assertion that it never occurred. In other words, Mr. Jefferson wilfully fabricated a false charge against Hamilton and deliberately dated it for publication, after his lips were closed in death's icy grasp, and his voice could no longer be heard in his own defence. For it is remarkable that a man, even by word would insinuate such machinations against the country he had hazzarded his life to defend; or to decry that Constitution he had assisted to formulate, and whose efforts did more than those of any other man to secure its adoption. He lost his life by his advocacy of the freedom of the press and in the exercise of free speech; yet these sacrifices and labors, and his sufferings as a soldier in the defence of his country, have not any

merit among the defamers of his honor, or with the traducers of his character. By them it seems to be regarded as proved beyond any doubt, because Mr. Jefferson makes the charge; thus putting into practice the old maxim, that "Accusation is full proof when malice and power sit as judges." But not any writing of Hamilton is quoted showing that he ever advocated or entertained, even privately, such opinions. Every act of his as a soldier and every line of his writings advocate the principle that "the fabric of the American empire ought to rest on the solid basis of the consent of the people." The worst that can justly be charged against his policies, is his fear of the powers claimed by the State governments as reserved to them by the Constitution, popularly known as "State Rights." He spoke openly against the tendency of encroachment upon the National government by the several States under these rights. He sought only to provide a remedy against it, by suggesting extremes in order to attain a golden mean. For, his marvelous penetration plainly discerned in the distance the attempted dissolution of the Union under the pretenses of an intended destruction of the legitimate rights of the States. The Resolutions of Kentucky and of Virginia; the Hartford Convention; the Nullification doctrine with its labyrinths of ways, and finally, the "War between the States," show that his fears were only too well founded. His writings advocate a government "founded upon the solid basis of the consent of the people," the "pure fountain of all legitimate authority." (No. 22 Federalist.)

Note. In his letter to William Sharkin in 1820 Mr. Jefferson declares "that he is not to be considered with Jesus in all his doctrines."

"I am a materialist," he exclaims, "Jesus takes the side of Spiritualism; he preaches the efficacy of repentance towards the forgiveness of sin. I require the counterpoise of good works to redeem it."

At Hamilton's funeral Morris said, "I have cried my eyes out." But the soldier (Col. Troupe) said, "I have cried my heart out." And the minister said, "He is lost to his family, he is lost to the country and he is lost to us." The most universal distress was manifested in New York ever known in that city. Not a sound broke the stillness of the day, save the clamping of the horses' feet and the steady tramp of men together with tolling of the bells throughout the city. All was bereavement, all business was suspended for the day, and the city was draped throughout and the public buildings, from top to bottom, were likewise draped. The passer-by manifested his participation in the prevailing mourning in his every movement. But the saddest sight was the old war horse in his following close after the coffin with his master's boots and sword strapped across the saddle and without rider, his head hanging low partaking in the agonies of the hour, as no other dumb animal than a war horse can partake. This sad spectacle was augmented, if indeed it could be done, by one of the son's swooning and was carried out for dead and who never entirely recovered. The bells of the city continued to toll until six o'clock. The bar went into mourning for six weeks and the city retained its drapery for four weeks. Columbia college, where Hamilton astonished the faculty by the brilliancy of his talents, made extensive manifestations of sympathy. The courts adjourned and the panegyrics to his memory were many. Theaters and halls and public buildings were closed. Churches of all denominations held appropriate services. The family home was flooded with letters of sympathy, condolence and regret. Meetings of indignation were many, and Burr was denounced as a murderer. Hamilton's friends and neighbors erected an appropriate tomb to his memory, and have treated his last resting place with continuous respect. (The Conqueror.)

Such indeed is a faint outline of the distress manifested in the city of New York at the funeral of Alexander Hamilton, the first great martyr to free press and free speech. His death has generally been regarded by the American people, and even by the civilized world, as a willful and premeditated murder. For Burr was branded as a murderer and hated and indicted as such. He escaped to a distant State and became a wanderer for many years. He returned to the city of New York shortly after the declaration of the Second War with England, while a feverish excitement pervaded the public mind, of which condition he took advantage to return. He did not offer his services as a soldier in defence of his country, but resumed the practice of law, when many of the prominent members of the bar had enlisted in their country's cause. He died in that city, September 14, 1836, in poverty and want. He was generally regarded by the people with marked contempt, "A mere record of slights and scorns." (True Burr by Todd 1902.) He only found the recognition that his great talents extorted from a distrusting public.

As Mr. Jefferson never expressed any regret for Hamilton's murder, we might naturally suppose that he did not have any. For, by that unfortunate occurrence his most formidable antagonist was forever silenced and a troublesome competitor was removed from any further

competition, and was sunk into obloquy and public hatred, by one and the same act, to-wit, the murder of Alexander Hamilton. Atherton says that immediately following Hamilton's death Mr. Jefferson gave a great banquet in Burr's honor. (The Conqueror.)



APPENDIX.

CHAPTER XII.

APPOINTMENT OF PHILLIP FRENEAU TO THE POSITION OF
TRANSLATING CLERK IN THE OFFICE OF THE SEC-
RETARY OF STATE, HIS CHARACTER,
JOURNAL, &c.

PHILLIP FRENEAU, an adventurer of little character and a writer of some force, was editor of a Journal published for several years in the city of Philadelphia, known as the "National Gazette." This man had been a sea captain and a writer of poetry, and has been quoted as a poet of merit. He had been a classmate of Madison while at Princeton college, which seems to be his principal recommendation. He had also been the editor of a sensational journal published in the city of New York and achieved some notoriety by his opposition to the adoption of the Constitution. He likewise had been prominent through his paper in the condemnation of the administration, under the specious guise of

opposing all pomp, unnecessary show, and aristocracy, apparent, as well as real. All formality, whether intended as honor and respect either to the office of President, or for the government, he placed in the category of aristocracy and inimical to free government. He pretended that any such formalities had a tendency towards a monarchy. On special application or persuasion of Mr. Jefferson he transported his press to Philadelphia, the second residence of the Capitol.

On the 25th day of October, 1791, Mr. Jefferson appointed him to the position of translating clerk in the office of the Secretary of State, at a nominal salary, and he was to publish all the public documents of that office required by law to be published. He was also given access to all the confidential correspondence of the office. On the 30th day of the same month he issued the first number of his paper and with it he began a series of ingenious and covert attacks upon the administration. He devoted his scurrility especially in denouncing the management of the Treasury department, with an equal laudation of the Secretary of State and everything he did, which to some extent was due to him as a benefactor. Freneau's continued attacks upon the administration and the Secretary of the Treasury, were apparently expected of him, and he did his part with a virulence not tolerated in this day in many parts of the United States. His publication of the secrets of the Cabinet, together with the attacks upon Washington, charging him with attempting to establish a monarchy and "endeavoring to pass himself off as an honest man," brought out the charge by the other papers that Mr. Jefferson was furnishing such information as to the Cabinet, and was dictating those attacks. Whereupon this man Freneau made an affidavit before the mayor of Philadelphia to the effect that Mr. Jefferson had neither given him such information nor had he

dictated any of the articles of which he had been accused. Hamilton knew the affidavit was false and made for the purpose of covering Mr. Jefferson's perfidy in betraying the Cabinet meetings, and instigating the tirades upon Washington, and so intimated at the time in the public prints. Washington believed that Mr. Jefferson dictated these attacks and so wrote to John Nicholas, and the estrangement they produced remained until his death. These transactions occurred about one year after Freneau's appointment. (True Jefferson 246.) In later life Freneau admitted he made that affidavit in order to shield Mr. Jefferson from the effects of those charges. He also exhibited a number of his papers with columns marked showing the articles written by Mr. Jefferson revealing the secrets of the Cabinet meetings, decrying the administration and the personal assaults upon the Secretary of the Treasury. Curtis says, "A careful comparison of Mr. Jefferson's style reveals the fact that he wrote a number of the scurrilous articles." But at that time Mr. Jefferson had passed off the public stage and his willing dupe and servile sycophant had declined in public favor, so that his later revelation, though never so true, had but little effect upon public opinion; unless it may have been within Mr. Jefferson's own State. (True Jefferson) He owed much to Freneau's scurrility and ingenious falsehoods for his political success; and he stoutly maintains that Freneau saved the Constitution. (See "Anas" under date May 23, 1793.) It certainly would be interesting had Mr. Jefferson disclosed the manner in which that man saved it. That a vile sheet conducted by a servile sycophant should in anywise be required to save a Constitution from destruction at the hands of the men who made it, savors of a travesty upon justice, a reflection upon the intelligence of that time, and an imposition upon common sense, which even the credulity of that age accepted with some

qualification. Yet it is evident that Mr. Jefferson bases this assertion upon the ground of Freneau's advocating his policies and the continuous assaults upon the administration. By the use of ingenious falsehoods he prepared the way for his protege's political ascendancy and elevation to the Presidency. When that was accomplished apparently Mr. Jefferson seemed to have no further use for Freneau, whose assaults upon Hamilton brought about the quarrels between them, which resulted in Mr. Jefferson's retiring from the Cabinet. Freneau, having served his purpose was abandoned by Mr. Jefferson to whatever position in his declining years he could attain. Forman emphasizes the fact that Freneau made an affidavit before the mayor of Philadelphia, alleging that Mr. Jefferson never wrote or even dictated any of the articles of which he was charged; but he does not refer to the fact that Freneau afterwards admitted the falsity of that affidavit, and his purpose in it to shield Mr. Jefferson from the blame due to such duplicity.



CHAPTER XIII.

RESOLUTIONS OF '98 AND '99, "NULLIFICATION"

&c., EXPOSED.

THE Resolutions of 1798 were written by Mr. Jefferson and introduced into the Kentucky legislature that same year by one George Nichol, hence the name of "Kentucky Resolutions." They

opposed broad construction of the Constitution, and affirmed it to be a "compact, each co-state forming as to itself the other party," and declaring the right of "Nullification." Mr. Stevens makes these resolutions the basis of his apology for the late Rebellion, which he styles in the milder terms of "The War Between the States."

The "Virginia Resolutions" contain similar principles as the "Kentucky Resolutions," and were introduced into the Virginia legislature by James Madison in 1799. He accompanied them with a report, defining the rights of the States, which John C. Calhoun made the basis of his "Nullification" doctrine in 1829-32. In 1830 Mr. Madison made an able effort to show that his report does not mean what Mr. Calhoun claimed it does, and doubtless was intended to convey. But his party coming into power shortly afterwards they were laid at rest until revived by Mr. Calhoun. With a view of securing their repeal or revocation Patrick Henry sought election to the Virginia legislature, to which he was chosen, but died before taking his seat. On the day of his election he delivered an eloquent address in which he denounced those resolutions as a tendency, if not a covert attempt, to pave the way for dissolving the Union. (See. Moore's Am. El. Bio. Sketch.) Both sets of resolutions purport to be directed against the "Alien and Sedition" laws and against acts to punish frauds upon the United States bank. Copies of them were transmitted to the other States for approval; but such States as returned answers, expressed non-concurrence in the principles advocated. (Dic. Am. Pol.)

The first instance of successful "Nullification" was the "Cherokee" case. (Dic. Am. Pol.) The United States Supreme Court had decided that the treaties of the United States were paramount to the laws of Georgia. A number of those treaties had been signed by Presi-

dent Washington. But President Jackson maintained that the State of Georgia was "sovereign" as to any territory lying within her borders. Yet when the act of 1829 was passed to enforce the collection of the tariffs, President Jackson immediately took vigorous measures to enforce those laws, notwithstanding the fact that the State of South Carolina had declared them to be unconstitutional in accordance with the principles set forth in the Kentucky and Virginia Resolutions, and what the State of Georgia had done in the "Cherokee" case. Echo might answer that Washington had signed some of those treaties and Mr. Jackson had signed the other law, which constitutes about the only difference, another evidence of Mr. Jackson's arbitrary work, disregarding principle and precedent.

NOTE:—After Mr. Henry's death Mr. Jefferson declared, "His apostasy sank him to nothingness in the estimation of the country; and a man who had been the idol of the country beyond any one that ever lived descended to the grave with less than indifference". (True Jefferson 221 & 2). On reading this declaration one can scarcely resist the inclination to believe that this "sinking into nothingness" is little else than Mr. Henry's refusal to accept Mr. Jefferson's dictation as to what is required in order to claim the estimation of the country. Notwithstanding Mr. Jefferson's assertion as to his lack of esteem among his neighbors, he was always elected to any office he aspired to in the gift of the people. A late biographer intimates that Mr. Henry's refusal to accept Mr. Jefferson's patronizing and domination caused the estrangement between them. (True Jefferson, Chapter 8 wherein is succinctly noted the estrangement of Mr. Henry, Judge Marshall and John Randolph and attributes it to his efforts to patronize and dominate these men.) This disposition of Mr. Jefferson to dominate all around him, and to leave them in the lurch as soon as he could not any longer use them to further his measures, is doubtless the cause of his steady decline in popularity among his neighbors until his death.

CHAPTER XIV.

THE PAMPHLET ENTITLED "THE PROSPECT BEFORE US," AND
THE CROSWELL CASE.

NOW as to the Pamphlet entitled "The Prospect Before Us." That pamphlet was written by one James Thompson Callender, who lived in Richmond, Virginia. He led a dissolute life and possessed little force of character, and was well calculated to be the tool of a superior mind. In condemning the "Jay Treaty," among other objections to it he declared that "Washington was a traitor, a robber and a perjurer," with milder epithets for Mr. Adams. It was charged in the "Croswell Case" that Mr. Jefferson had paid Callender to issue that pamphlet, knowing that these charges were set forth in it. In one of Mr. Jefferson's letters he admits that he paid Callender fifty dollars before the pamphlet was issued, and a second fifty after it was published as a compensation. (See letter to James Madison.) In that letter he does not deny that he knew these charges against Washington were contained in it. And in the "Croswell case" the defendant offered to prove that Mr. Jefferson knew it when he paid the money to Callender. But the court, Mr. Chief-Justice Lewis, would not allow the proffered evidence to be submitted to the jury. (See Croswell case 3, New York reports, by Carnes Appendix to which attention is invited.) Judge Lewis was an ardent admirer and blind partisan of Mr. Jefferson, and a brother-in-law of R. R. and Brookholst Livingston. The latter killed his man and was appointed by Mr. Jefferson one of the judges of the United States Supreme Court. In this age these men would be termed "a part of the machine."

Hamilton's arguments in the "Croswell case" before the Supreme Court of New York on appeal, is one of the greatest forensic arguments in the world, and caused the English law of libel to be changed in the United States. His definition of libel presented in that argument is now enacted in most of the States as their respective definitions of that offence. Croswell was indicted for libeling President Jefferson, but was not allowed by that partisan court to show that he had told the truth. That case comes little short of tracing directly to Mr. Jefferson, as the originator of those charges against Washington, of which he said "in terms so exaggerated and indecent as scarcely would be applied to a Nero, a notorious defaulter or a common pickpocket."

NOTE.—The attentive student of history is referred to vol. 4, History of the Republic, and Irving's Life of Washington above mentioned for the narration of many surprising facts; and he will scarcely avoid the conclusion that Mr. Jefferson had but little hesitancy in fabricating any story by which he could effectually round off a political corner and secure to himself increase of fame for watching the people's interests, or, to fan their prejudices and augment their suspicion against the officers of the government, when not administered by him or by his sycophantile disciples. No part of our Constitutional history furnishes as many contradictions of public opinion as the proofs brought forward by these writers, to which may be added the careful and non-partisan authors of the Dictionary of American Politics. The one wrote to correct prevailing prejudices by showing the facts, which is all sufficient for the seeker of truth and enlightened historian. While the other, the greatest writer of his age and in his masterpiece, was writing the life of the father of his country, and furnishing the proofs of the facts narrated.

NOTE 2. It is deemed a sufficient apology for the insertion of this additional note, that it throws much light on the charge of Hamilton's desiring a "king, house of lords, &c." Whatever may have been his private fancies such charges are wholly contradicted by his labors and public services in behalf of a good government.

A short time after the pretended conversation above alluded to, public opinion forced this statement or letter from Mr. Jefferson to Mr. Adams, "That you and I differ in our ideas of the best form of government, is well known to both of us." (2 Randall's Life, Jefferson 4.)

Adams immediately answered, "You will give me leave to say, I do not know what is your idea of the best form of government. You and I have never had a serious conversation together that I can recollect, concerning the nature of the government. The very transitory hints that have ever passed between us have been jocular and superficial, without coming to explanation. If you suppose that I ever had a design or desire of attempting to introduce a hereditary house of lords and commons, or, in other words, a hereditary Senate either into the government of the United States, or, that of any individual State, you are wholly mistaken. If you ever put such a construction on anything of mine I beg you would mention it to me, and I will undertake to convince you that it has no such meaning." (Adams works vol. 8, 506-508.) This conversation alleges to have occurred in April, 1791, and Adams' letter was written July 29, 1791, three months later. The first clause of this alleged conversation is shown by Adams' letter not to have occurred—the subsequent remark reputed by Hamilton, it may be believed, was not made. But the occurring of this or any other private conversation between Jefferson and Hamilton, after the Cabinet dissensions as to the bank, the fact that their personal, other than official intercourse had ceased, is a decisive refutation. The whole is doubtless a fabrication. After this exposition, Randall's statement that Jefferson had not one personal defender for every fifty personal assailants can not surprise. Few works exist in which the author ventures to adopt statements made for personal objects as true, which are expressly contradicted by the party making the statements written by him at the time of the occurrence they relate. Such is the course pursued in the life of Mr. Jefferson by Randall, which first claims for Jefferson scrupulous veracity when his habitual disregard for the truth is a matter of history next vindicates his practice of recording alleged conversations, often obviously untrue as, his authority for the grossest calumnies." (His. Rep. vol. 4, 495 and 497 and notes.) It may be interesting to know that after this letter of Adams to Jefferson, July 29, 1791, the cordiality was broken until 1814 while Mr. Adams was presiding at the State convention when it was forming a new Constitution for the State of Massachusetts.

NOTE 3. During the winter of 1891 and 1892 Congress were considering a measure purporting to protect every citizen in the exercise of the elective franchise. The opponents of the measure regarded it as leveled at the late slave-holding states, and therefore wholly devoted to sectional and partisan purposes. Quoting John C. Calhoun's definition of the measures taken in 1829 to enforce the collection of the tariffs, they derisively termed it the "force bill." Every misrepresentation that the opponents could devise was summoned to render it as unpopular as possible, and almost everything of an evil tendency was charged to its account. All the popular calumnies of the day were as freely employed in decrying its objects, and the epithets of the wits of the times were evoked in order to poison public opinion against it. In this connection liberty is taken to repeat one made use of by a prominent Senator who had been a member of the late Confederate Congress,

and therefore, during that incumbency, a sworn enemy of the United States. This man was, at the time, reported as defining the measure as a "Tribute to Alexander Hamilton, Benedict Arnold and Southern mendacity." The writer of this note read this infamous charge against Hamilton in the public prints at the time, but has since been informed that such a declaration does not appear in the Congressional Record, or the proceedings of Congress. Yet he has never heard any denial of it. And further, he has, for many years, observed that many politicians, particularly from the Southern part of the United States, seldom ever allude to Alexander Hamilton, that they do not associate his name with that of Benedict Arnold, the traitor. It certainly comes with very bad grace from such a politician, (for such he is and nothing more, and perchance should be excused on that ground), who was once the sworn enemy of the United States, in which Alexander Hamilton founded the Treasury department, the corner stone of the greatest Republic on earth, and restored the public credit which remains until now. But Hamilton had "made the fortunes of the nation and was obliged to toil all night for bread," as the result of his continuous efforts to make such a benefit for the Nation; and he never was the sworn enemy of the United States. It seems not amiss to recall the fact that his mediate successor, Albert Gallatin, appointed by Mr. Jefferson was so very attentive of the public weal and so very thoughtful of his own, that when he retired from office he was not obliged to toil all night for bread, but, during the time he was Secretary of the United States Treasury he had accumulated such a fortune that he was enabled to travel around over Europe for many years, and then return and start up a bank. And this too in the face of the fact, that he and his protege whose obedient disciple he was were in continual condemnation of banks as "badges of royalty and monarchical devices," whenever Hamilton advocated them. It was therefore all wrong in Hamilton, but it was all right in Mr. Jefferson and his unquestioning sycophant, Albert Gallatin.

Mr. Gallatin's appointment to be the Secretary of the United States Treasury would seem to be a very singular one, when it is considered that he was one of the promoters of the "Whiskey Insurrection." The object of that insurrection was, in a measure, to overthrow the United States Treasury; and that Mr. Gallatin should be appointed to that trust, savoring of an imposition upon common sense, and partaking of the brilliancy of Julius Caesar's appointing the captured leader of an insurrection to be governor of the territory, in which he had organized the revolt.

Such indeed was the craftiness of those politicians in their successful imposition upon the credulity of that age. They posed as enlightened statesmen, and were idols of the idols of the day. Thus fulfilling Mr. Reed's definition, that "A statesman is a successful politician who is dead." (Reed's Modern Eloquence.) Mr. Jefferson's theory of politics was that whatever the people did was right, and his effectual eradication of useless and servile formalities was his greatest benefaction. Mr. Lincoln's theory of politics was that, whatever was right the people would do; upon which he enunciated his famous political apothegm that, "You can fool part of the people all the time,

and all the people part of the time, but you can't fool all the people all the time."

It is doubtless correct to say, and among candid men will scarcely be denied, that had Alexander Hamilton been President of the United States in 1812, he would have made the necessary preparations for defence, so that the Capital of the Nation would not have been overrun by the armies of the enemy, the officers driven away and the public buildings destroyed. Thus avoiding the consequent humiliation to the Americans and blot upon their name.

(Note a—Talleyrand, a chief advisor of Napoleon, was visiting in New York when Hamilton retired from the Treasury department. On his retiring Hamilton at once resumed the practice of law and instructing a number of students in that science. While working in his office at a late hour, Talleyrand chanced to pass by, and observing Hamilton's labors, he wrote to a friend declaring that he had seen the "Eighth Wonder of the World." "I have seen" said he "the man who made the fortunes of a nation toiling all night to supply his family with bread. He also said, "Charles James Fox, Napoleon and Alexander Hamilton were the three greatest men of the age; and of the three, Hamilton is the greatest.")

